

REVIEWED & APPROVED
BY MATT JANSSEN
11/9/15

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING
OF
Friday, September 18, 2015**

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Matt Janssen, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

****EXPERIENCED TECHNICAL DIFFICULTIES DURING THIS MEETING ****

Matt Janssen, Hearing Officer: opens meeting.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

No one coming forward.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):

None.

HEARING ITEMS

3. Continued hearing to consider a request by **MARSHALL LEWIS** for a Minor Use Permit/Coastal Development Permit (DRC2013-00083) to allow a 196 square-foot master bathroom and 42 square-foot living space addition to an existing single family residence. This revised project will result in the disturbance of approximately 300 square feet on a 21,649 square-foot parcel in the Residential Multi Family land use category. The proposed project is located at 709 Lucerne Road, approximately 100 feet south of Ocean Avenue, in the community of Cayucos. The site is located in the Estero planning area. Also to be considered is the approval of the environmental document. A Class 1 Categorical

Exemption was issued for this project. (Continued from 10/17/14; 3/20/15 and 8/21/15)

County File Number: DRC2013-00083
Supervisory District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 064-281-009
Date Accepted: September 4, 2014
Recommendation: Approval

Schain Sion, Project Manager: provides information from applicant for continuance off calendar.

Thereafter, on motion of the hearing officer, the request by MARSHALL LEWIS for a Minor Use Permit/Coastal Development Permit (DRC2013-00083) is Continued off Calendar.

4. A request by **BAILEY FAMILY REVOCABLE TRUST** for a Minor Use Permit / Coastal Development Permit (DRC2014-00158) to allow an existing single family residence to be used as a residential vacation rental. The Minor Use Permit is requesting to modify the location standard for vacation rentals per Coastal Zone Land Use Ordinance Section 23.08.165(C)(1). The location standard restricts new vacation rentals to locations at least 150 – 200 feet from existing vacation rentals. The nearest active vacation rental is located approximately 50 feet to the south of the subject property on the opposite side of Drake Street. The proposed project will result in no site disturbance on the 2,240 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 313 Drake Street, at the intersection with South Windsor Boulevard, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2014-00158
Supervisory District: 2
Project Manager: Cody Scheel

Assessor Parcel Number: 023-045-039
Date Accepted: July 29, 2015
Recommendation: Approval

Cody Scheel, Project Manager: presents staff report via a Power Point presentation.

Airlin Singewald, Planning Staff: makes further comments on the proposal.

Matt Janssen, Hearing Officer: refers to NCAC in terms of waivers of this ordinance section and asks Mr. Singewald to explain their policy further with Mr. Singewald responding.

Kyle Orf, Agent representing Bailey Family: explains reasoning for proposal and states is available for questions.

Kathy Presciado, Laurel Stewart (NCAC), Michael McLaughlin, Barbara Crowley, Carol Glusovich, Debbie Kaperonis, John McGarry, Bob Johnson, Joe Crowley (PPT Presentation), John Lamb, Laurel Stewart (Individual): speaks to the proposed project.

Kyle Orf, Agent representing Bailey Family: addresses Public Comment.

Airlin Singewald, Planning Staff: clarifies the Minor Use process in regards to Public Comment concerns.

Matt Janssen, Hearing Officer: reads into the record authors of letters that have been received and begins deliberating item and provides reasoning for denial and asks staff to display the Findings for denial. Explains and clarifies the Findings for denial.

Thereafter, on motion of the hearing officer, the request by BAILEY FAMILY REVOCABLE TRUST for a Minor Use Permit / Coastal Development Permit (DRC2014-00158) is Denied based on the Revised Findings for Denial A. through E. in Exhibit A.

5. A request by CREEKSIDE LOFTS, L.P. for a Minor Use Permit/Coastal Development Permit (DRC2014-00096) to allow the construction of a new two-story, 5,058 square foot single family residence to be used as a vacation rental. The residence will be 25 feet in height above the highest point of the lot and will have an attached garage, outdoor pool, and outdoor barbeque with patio area. The project will result in the disturbance of the entire parcel through development, landscaping and associated improvements. The project is located on the south side of Avila Beach Drive on Colony Lane, within the community of Avila Beach, in the San Luis Bay Coastal planning area. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted.

County File Number: DRC2014-00096
Supervisory District: 3
Project Manager: Megan Martin

Assessor Parcel Number: 076-196-006
Date Accepted: May 11, 2015
Recommendation: Approval

Megan Martin, Project Manager: presents staff report via a Power Point presentation.

Matt Janssen, Hearing Officer: begins questioning staff regarding corner triangle being right away and if Public Works has responded with Megan Martin responding.

Ryan Hostetter, Planning Staff: speaks to Public Works response on the proposed project.

Matt Janssen, Hearing Officer: requests clarification on the "Colony Lots" height maximum approved with Megan Martin responding.

Rob Rossi, Applicant: discusses the proposed project.

Sherri Danoff (AVAC), and Bob Pesonic: speak.

Rob Rossi, agent: addresses Public Comment.

Ryan Hostetter, Planning Staff: addresses Public Comment.

Matt Janssen, Hearing Officer: begins deliberations and confers with staff, the applicant and the AVAC representative. Is working from a revised set of conditions submitted by staff.

Thereafter, on motion of the hearing officer, the request by CREEKSIDE LOFTS, L.P. for a Minor Use Permit/Coastal Development Permit (DRC2014-00096) is granted based on the Findings A. through I. in Exhibit A and subject to the Revised Conditions 1 through 56 in Exhibit B; additionally revising Condition 3 to read " The maximum number of occupants allowed in the residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the onsite parking requirement, and shall not exceed two persons per bedroom, or eight persons total."; also finding that the previously adopted Mitigated Negative Declaration is consistent with the applicable provisions of the California

Environmental Quality Act (CEQA). (Document Number: 2015-072_PDH)

Rob Rossi, Applicant: requests the change in occupancy not occur and assure the additional parking will be available with Matt Janssen responding.

ADJOURNMENT

Next Scheduled Meeting: October 2, 2015, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary
Planning Department Hearings**

Minutes will be approved at the November 20, 2015 Planning Department Hearings Meeting.